

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
at CHATTANOOGA

MAUREEN DEAL and PHILLIP DEAL,)
on behalf of ZACHARY DEAL, an infant)
child with a disability,)

Plaintiffs,

v.)

HAMILTON COUNTY DEPARTMENT)
OF EDUCATION,)

Defendant.

No.1:01-cv-295
Edgar

ORDER

The United States Court of Appeals for the Sixth Circuit concluded that the Hamilton County Department of Education denied Zachary Deal a free appropriate public education by committing certain procedural violations of the Individuals with Disabilities Education Act (“IDEA”), 20 U.S.C. § 1400 *et seq.* The case was remanded to this Court with further instructions for this Court to determine in the first instance whether defendant violated the substantive requirements of the IDEA. This Court has issued contemporaneously herewith a memorandum opinion concluding that the Hamilton County Department of Education did not violate the substantive provisions of the IDEA.

The Sixth Circuit also instructed this Court to determine an appropriate amount of reimbursement under the IDEA. This Court must also determine an reasonable amount of attorneys’ fees recoverable by the plaintiffs pursuant to the IDEA. The plaintiffs are hereby ordered to submit briefs and any supporting documents on these issues by April 28, 2006 in light of the decisions of the Sixth Circuit and this Court. Defendant’s response must be submitted by

May 19, 2006.

SO ORDERED.

ENTER this *3rd day of April, 2006*.

/s/ R. Allan Edgar

R. ALLAN EDGAR
UNITED STATES DISTRICT JUDGE